

Filed on behalf of:

Edwards Lifesciences Corporation

By: Craig S. Summers

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORPORATION,

Petitioner

v.

BOSTON SCIENTIFIC SCIMED, INC.,

Patent Owner

Case No. IPR2017-00072

Patent 6,915,560

**PETITIONER'S REQUEST FOR REFUND
OF POST-INSTITUTION FEES**

IPR2017-00072

Edwards v. Boston Scientific

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4232–4234, Petitioner Edwards Lifesciences Corp. ("Petitioner") respectfully requests a refund of the mandatory *inter partes* post institution fee payment in the amount of \$20,400 to be paid to deposit account number 11-1410 (Customer No. 20,995).

On October 16, 2016, Petitioner filed a Petition (Paper No. 1) for *inter parte* review of U.S. Patent No. 6,915,560 which was assigned case number IPR2017-00072. Among the fees paid concurrently with the filing of the Petition was a \$15,000 post-institution fee and \$5,400 excess claim fee. See payment summary receipt below.

Transaction Date	Payment Method	Description	Fee Code	Quantity	Fee Amount	Fee Total
10/14/2016 13:08:39	DA111410	Inter Parties Review Post-Institution Fee	1414	1	\$15,000	\$15,000
10/14/2016 13:08:39	DA111410	Inter Parties Post- Institution Request Of Each Claim In Excess Of 15	1415	9	\$600	\$5,400

On April 21, 2017, the Patent Trial and Appeal Board issued a Decision denying institution of *inter partes* review. Paper 8. On September 5, 2017, the Patent Trial and Appeal Board issued a Decision denying Petitioner's request for rehearing. Paper 10. No post-institution proceedings have taken place in the *inter partes* review. Accordingly, pursuant to 37 C.F.R. § 42.15(a)(s) and (a)(4),

IPR2017-00072

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Petitioner requests a refund in the amount of \$20,400 for the post-institution fee paid in connection with this proceeding.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 6, 2018

By: /Craig S. Summers/

Craig S. Summers (Reg. No. 31,430)

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Attorneys for Petitioner

EDWARDS LIFESCIENCES CORP.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEES** is being served on April 6, 2018, via electronic mail pursuant to 37 C.F.R. § 42.6(e) and with the consent of Patent Owner's counsel, to counsel for Patent Owner's at the addresses below:

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Dated: April 6, 2018

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